A bill to be entitled
An act relating to the Department of Highway Safety
and Motor Vehicles; amending s. 20.24, F.S.; renaming
the Office of Motor Carrier Compliance within the
Division of the Florida Highway Patrol as the “Office
of Commercial Vehicle Enforcement”; amending s.
316.003, F.S.; revising the definition of the term
“motor vehicle” to exclude swamp buggies; defining the
term “swamp buggy”; amending s. 316.1303, F.S.;
authorizing a person who is mobility impaired to use a
motorized wheelchair to temporarily leave the sidewalk
and use the roadway under certain circumstances;
authorizing a law enforcement officer to issue only a
verbal warning to such person; amending s. 316.2065,
F.S.; revising safety standard requirements for
bicycle helmets that must be worn by certain riders
and passengers; revising requirements for a bicycle
operator to ride in a bicycle lane or along the curb
or edge of the roadway; providing for enforcement of
requirements for bicycle lighting equipment; providing
penalties for violations; providing for dismissal of
the charge following a first offense under certain
circumstances; amending s. 316.2085, F.S.; requiring
that the license tag of a motorcycle or moped remain
clearly visible from the rear at all times;
prohibiting deliberate acts to conceal or obscure the
license tag; providing that certain license tags may
be affixed perpendicularly to the ground; creating s.
316.2129, F.S.; prohibiting the operation of swamp
buggies on a public road, highway, or street;
providing exceptions; prohibiting the operation of
swamp buggies on land managed, owned, or leased by a
state or federal agency; providing exceptions;
amending s. 316.2397, F.S.; providing an exception to
the prohibition against flashing vehicle lights for
motorists who intermittently flash their vehicle’s
headlamps at an oncoming vehicle, regardless of their
intent in doing so; amending s. 316.3026, F.S.;
revising provisions to rename the Office of Motor
Carrier Compliance within the Division of the Florida
Highway Patrol as the Office of Commercial Vehicle
Enforcement to conform to changes made by the act;
amending s. 316.6135, F.S.; revising the criteria
under which a child may not be left unattended in a
vehicle; amending s. 316.614, F.S.; deleting
provisions that require that a law enforcement officer
record the race and ethnicity of a person who is given
a citation for not wearing his or her safety belt;
deleting provisions that require that the Department
of Highway Safety and Motor Vehicles collect such
information and provide reports; amending s. 318.14,
F.S.; authorizing a person who does not hold a
commercial driver license and who is cited for a
noncriminal traffic infraction while driving a
noncommercial motor vehicle to elect to attend a basic
driver improvement course in lieu of a court
appearance; authorizing a person who does not hold a
commercial driver license and who is cited for certain
offenses while driving a noncommercial motor vehicle
to elect to enter a plea of nolo contendere and to
provide proof of compliance in lieu of payment of fine
or court appearance; amending s. 318.15, F.S.;
providing that a person charged with a traffic
infraction may request a hearing within a specified
period after the date upon which the violation
occurred; requiring that the clerk set the case for
hearing; providing exceptions to the time period for
requesting a hearing; authorizing the court to grant a
request for a hearing made more than 180 days after
the date upon which the violation occurred; amending
ss. 318.18 and 318.21, F.S.; conforming cross-
references; amending s. 319.14, F.S.; prohibiting the
sale or exchange of custom vehicles or street rod
vehicles under certain conditions; providing
definitions; amending s. 319.23, F.S.; requiring that
the application for a certificate of title, corrected
certificate, or assignment or reassignment be filed
after the consummation of the sale of a mobile home;
authorizing the department to accept a bond if the
applicant for a certificate of title is unable to
provide a title that assigns the prior owner’s
interest in the motor vehicle; providing requirements
for the bond and the affidavit; providing for future
expiration of the bond; amending s. 319.24, F.S.;
requiring that the department electronically transmit
a lien to the first lienholder and notify the first
lienholder of any additional liens if there are one or
more lien encumbrances on a motor vehicle or mobile
gary; requiring that subsequent lien satisfactions be
transmitted electronically to the department; amending
s. 319.27, F.S.; requiring that the department
establish and administer an electronic titling
program; requiring the electronic recording of vehicle
title information for new, transferred, and corrected
certificates of title; requiring that lienholders
electronically transmit liens and lien satisfactions
to the department; providing exceptions; amending s.
319.28, F.S.; providing that a dealer of certain farm
or industrial equipment is not subject to licensure as
a recovery agent or agency under certain conditions;
amending s. 319.40, F.S.; authorizing the department
to issue an electronic certificate of title in lieu of
printing a paper title and to collect electronic mail
addresses and use electronic mail as a notification
method in lieu of the United States Postal Service;
providing an exception; amending s. 320.01, F.S.;
revising the definition of the term “motor vehicle” to
include special mobile equipment and swamp buggies;
defining the term “swamp buggy”; amending s. 320.02,
F.S.; providing that an active duty member of the
armed forces of the United States is exempt from the
requirement to provide an address on an application
for vehicle registration; revising provisions relating
to the registration of a motor carrier who operates a
commercial motor vehicle and the notice of the
suspension of such registration; requiring that the
insurer’s notice contain information required by the
department and provided in a format compatible with
the data processing capabilities of the department;
authorizing the department to adopt rules; providing
that an insurer who fails to file the proper
documentation with the department violates the Florida
Insurance Code; providing that the department use the
documentation only for enforcement and regulatory
purposes; requiring that the department retain all
electronic registration records for a specified
period; amending s. 320.023, F.S.; requiring that the
department develop a bid process for legislatively
authorized voluntary contribution organizations to be
listed on the renewal notices for vehicle
registrations, vessel registrations, and driver
licenses; providing certain requirements for the
bidding process; requiring that the funds collected by
the department through the bidding process be
deposited into the Highway Safety Operating Trust Fund
to offset costs associated with administering the
voluntary contribution program; requiring that the
department refund the fees collected from voluntary
contribution organizations that are not selected to be
listed on the renewal notices; amending s. 320.03,
F.S.; conforming a cross-reference; amending s.
320.06, F.S.; deleting a requirement that registration
license plates be made of metal and conforming
terminology; amending s. 320.0605, F.S.; revising
provisions relating to a requirement that rental or
lease documentation be in the possession of an
operator of a motor vehicle; providing specified
information sufficient to satisfy this requirement;
amending s. 320.061, F.S.; prohibiting a person from
altering the original appearance of a temporary
license plate; amending s. 320.07, F.S.; revising
provisions relating to the expiration of a
registration of a motor vehicle or mobile home;
providing that the registration for a motor vehicle or
mobile home whose owner is a natural person expires at
midnight on the owner’s birthday; amending s.
320.08068, F.S.; revising provisions relating to the
use of funds received from the sale of motorcycle
specialty license plates; deleting a provision that
requires that 20 percent of the annual fee collected
for such plates be used to leverage additional funding
and new sources of revenue for the centers for
independent living; amending s. 320.0848, F.S.;
revising the requirements for the deposit of fee
proceeds from temporary disabled parking permits;
requiring that certain proceeds be deposited into the
Florida Endowment Foundation for Vocational
Rehabilitation, instead of the Florida Governor’s
Alliance for the Employment of Disabled Citizens;
amending s. 320.089, F.S.; providing for the issuance
of a Combat Infantry Badge license plate; providing
qualifications and requirements for the plate;
providing for the use of proceeds from the sale of the
plate; amending s. 320.15, F.S.; providing that an
owner of a motor vehicle or mobile home may apply for
a refund of certain license taxes if the owner renews
a registration during the advanced renewal period and
surrenders the motor vehicle or mobile home license
plate before the end of the renewal period; amending
s. 320.27, F.S.; providing an exemption for salvage
motor vehicle dealers from certain application and
security requirements; amending s. 320.771, F.S.;
revising the definition of the term “dealer”; amending
s. 320.95, F.S.; authorizing the department to collect
electronic mail addresses and use electronic mail for
the purpose of providing renewal notices in lieu of
the United States Postal Service; amending s. 322.04,
F.S.; revising provisions exempting a nonresident from
the requirement to obtain a driver license under
certain circumstances; amending s. 322.051, F.S.;
revising requirements by which an applicant for an
identification card may prove nonimmigrant
classification; clarifying the validity of an
identification card based on specified documents;
authorizing the department to require additional
documentation to establish the maintenance of, or
efforts to maintain, continuous lawful presence;
providing for the department to waive the fees for
issuing or renewing an identification card to persons
who present good cause for such waiver; amending s.
322.058, F.S.; conforming a cross-reference; amending
s. 322.065, F.S.; revising provisions relating to a
person whose driver license has expired for 6 months
or less and who drives a motor vehicle; amending s. 322.07, F.S.; revising provisions relating to temporary commercial instruction permits; amending s. 322.08, F.S.; revising provisions relating to an application for a driver license or temporary permit; requiring that applicants prove nonimmigrant classification by providing certain documentation; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.081, F.S.; requiring that the department develop a bid process for legislatively authorized voluntary contribution organizations to be listed on the renewal notices for vehicle registrations, vessel registrations, and driver licenses; providing certain requirements for the bidding process; requiring that the funds collected by the department through the bidding process be deposited into the Highway Safety Operating Trust Fund to offset costs associated with administering the voluntary contribution program; requiring that the department refund the fees collected from voluntary contribution organizations that are not selected to be listed on the renewal notices; amending s. 322.121, F.S.; revising provisions authorizing the automatic extension of a
license for members of the Armed Forces of the United States or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that a qualified driver license applicant appear in person for issuance of a color photographic or digital imaged driver license; creating s. 322.1415, F.S.; authorizing the department to issue a specialty driver license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the Armed Forces of the United States; requiring that the department approve the design of each specialty driver license and identification card; providing for future repeal; creating s. 322.145, F.S.; requiring that the department implement a system providing for the electronic authentication of driver licenses; providing criteria for a security token for electronic authenticity; requiring that the department enter into a contract for implementation of the electronic authentication; providing contract requirements; amending s. 322.18, F.S.; providing that a person who has been issued a driver license using certain documentation as proof of identity is not eligible to renew the driver license; requiring that such person obtain an original license; amending s. 322.19, F.S.; providing that certain persons who have a valid
student identification card are presumed not to have changed their legal residence or mailing address; amending s. 322.21, F.S.; revising provisions relating to license fees; prohibiting the fee for an original or renewal of an enhanced driver license or identification card from exceeding a specified amount; requiring that the funds collected from such fee be deposited into the Highway Safety Operating Trust Fund; providing that the issuance of an enhanced driver license or identification card is optional for certain qualified residents; providing for the distribution of funds collected from the specialty driver license and identification card fees; amending s. 322.251, F.S.; providing that certain notices of cancellation, suspension, revocation, or disqualification of a driver license are complete within a specified period after deposit in the mail; amending s. 322.27, F.S.; revising the department’s authority to suspend or revoke licenses or identification cards under certain circumstances; amending s. 322.53, F.S.; revising an exemption from the requirement to obtain a commercial driver license for farmers transporting agricultural products, farm supplies, or farm machinery under certain circumstances; providing that such exemption applies if the vehicle is not used in the operations of a common or contract motor carrier; amending s. 322.54, F.S.; requiring that the driver license classification of any person operating a commercial motor vehicle
that does not have a gross vehicle weight rating plate
be determined by the actual weight of the vehicle;
repealing s. 322.58, F.S., relating to holders of
chauffeur licenses and the classified licensure of
commercial motor vehicle drivers; amending s. 322.59,
F.S.; revising provisions relating to the possession
of a medical examiner’s certificate; requiring that
the department disqualify a driver from operating a
commercial motor vehicle if the driver holds a
commercial driver license and fails to comply with the
medical certification requirements; authorizing the
department to issue, under certain circumstances, a
Class E driver license to a person who is disqualified
from operating a commercial motor vehicle; amending s.
322.61, F.S.; revising provisions relating to the
disqualification from operating a commercial motor
vehicle; providing that any holder of a commercial
driver license who is convicted of two violations
committed while operating any motor vehicle is
permanently disqualified from operating a commercial
motor vehicle; amending s. 324.072, F.S.; prohibiting
the department from suspending a registration of a
motor vehicle if the person to whom the motor vehicle
is registered had certain limits on the date of the
offense that caused the suspension or revocation;
amending s. 324.091, F.S.; revising the period within
which an owner or operator involved in a crash must
furnish evidence of automobile liability insurance,
motor vehicle liability insurance, or surety bond;
amending s. 328.15, F.S.; requiring that the
department establish and administer an electronic
titling program that requires the recording of vehicle
title information for new, transferred, and corrected
certificates of title; requiring that lienholders
electronically transmit liens and lien satisfactions
to the department; providing exceptions; amending s.
328.16, F.S.; requiring that the department
electronically transmit a lien to the first lienholder
and notify such lienholder of any additional liens;
requiring that subsequent lien satisfactions be
electronically transmitted to the department; amending
s. 328.30, F.S.; authorizing the department to issue
an electronic certificate of title in lieu of printing
a paper title; authorizing the department to collect
electronic mail addresses and use electronic mail for
the purpose of providing renewal notices in lieu of
the United States Postal Service; amending s. 713.78,
F.S.; conforming a cross-reference; providing
effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 20.24, Florida
Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—
There is created a Department of Highway Safety and Motor
Vehicles.

(3) The Office of Commercial Vehicle Enforcement Motor
Carrier Compliance is established within the Division of the Florida Highway Patrol.

Section 2. Subsection (21) of section 316.003, Florida Statutes, is amended, and subsection (89) is added to that section, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(21) MOTOR VEHICLE.—A self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, swamp buggy, or moped.

(89) SWAMP BUGGY.—A motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

Section 3. Section 316.1303, Florida Statutes, is amended to read:

316.1303 Traffic regulations to assist mobility-impaired persons.—

(1) Whenever a pedestrian who is mobility impaired is in the process of crossing a public street or highway with the assistance of and the pedestrian is mobility impaired (using a guide dog or service animal designated as such with a visible means of identification, a walker, a crutch, an orthopedic cane, or a wheelchair), the driver of every vehicle approaching the intersection, as defined in s. 316.003(17), shall bring his or
her vehicle to a full stop before arriving at the such intersection and, before proceeding, shall take such precautions as may be necessary to avoid injuring the such pedestrian.

(2) A person who is mobility impaired and who is using a motorized wheelchair on a sidewalk may temporarily leave the sidewalk and use the roadway to avoid a potential conflict, if no alternative route exists. A law enforcement officer may issue only a verbal warning to such person.

(3) A person who is convicted of a violation of subsection (1) this section shall be punished as provided in s. 318.18(3).

Section 4. Paragraph (d) of subsection (3) and subsections (5) and (8) of section 316.2065, Florida Statutes, are amended to read:

316.2065 Bicycle regulations.—

(3)

(d) A bicycle rider or passenger who is under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the passenger’s head by a strap, and that meets the federal safety standard for bicycle helmets, final rule, 16 C.F.R. part 1203. A helmet purchased before October 1, 2012, which meets the standards of the American National Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards of the Snell Memorial Foundation (1984 Standard for Protective Headgear for Use in Bicycling), or any other nationally recognized standards for bicycle helmets adopted by the department may continue to be worn by a bicycle rider or passenger until January 1, 2016. As used in this subsection, the term “passenger” includes a child who is riding in a trailer or semitrailer attached to a bicycle.
(5) (a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride in the lane marked for bicycle use or, if no lane is marked for bicycle use, as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

1. When overtaking and passing another bicycle or vehicle proceeding in the same direction.

2. When preparing for a left turn at an intersection or into a private road or driveway.

3. When reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand curb or edge or within a bicycle lane. For the purposes of this subsection, a “substandard-width lane” is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) Any person operating a bicycle upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

(8) Every bicycle in use between sunset and sunrise shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a lamp and reflector on the rear each exhibiting a red light visible from a distance of 600 feet to the rear. A bicycle or its rider may be equipped with lights or reflectors in addition to those required by this section. A law enforcement officer may
issue a bicycle safety brochure and a verbal warning to a
bicycle rider who violates this subsection or may issue a
citation and assess a fine for a pedestrian violation, as
provided in s. 318.18. The court shall dismiss the charge
against a bicycle rider for a first violation of this subsection
upon proof of purchase and installation of the proper lighting
equipment.

Section 5. Subsection (3) of section 316.2085, Florida
Statutes, is amended to read:

316.2085 Riding on motorcycles or mopeds.—
(3) The license tag of a motorcycle or moped must be
permanently affixed to the vehicle and remain clearly visible
from the rear at all times may not be adjusted or capable of
being flipped up. Any deliberate act to conceal or obscure No
device for or method of concealing or obscuring the legibility
of the license tag of a motorcycle is prohibited shall be
installed or used. The license tag of a motorcycle or moped may
be affixed horizontally to the ground so that the numbers and
letters read from left to right. Alternatively, a Florida
license tag for a motorcycle or moped for which the numbers and
letters read from top to bottom may be affixed perpendicularly
to the ground, provided that the registered owner of the
motorcycle or moped maintains a prepaid toll account in good
standing and a transponder associated with the prepaid toll
account is affixed to the motorcycle or moped. A license tag for
a motorcycle or moped issued by another jurisdiction for which
the numbers and letters read from top to bottom may be affixed
perpendicularly to the ground.

Section 6. Section 316.2129, Florida Statutes, is created
to read:

316.2129 Operation of swamp buggies on public roads, streets, or highways prohibited; exceptions.—

(1) The operation of a swamp buggy on a public road, street, or highway is prohibited unless a local governmental entity has designated the public road, street, or highway for use by swamp buggies based on factors, including, but not limited to, the speed, volume, and character of the motor vehicle traffic currently using the public road, street, or highway. Upon determining that swamp buggies may be safely operated on a public road, street, or highway, the local governmental entity shall post appropriate signs or otherwise inform the public that the operation of swamp buggies is allowed.

(2) The operation of a swamp buggy on land managed, owned, or leased by a state or federal agency is prohibited unless the state or federal agency authorizes the operation of swamp buggies on such land, including any public road, street, or highway running through or located within the state or federal land. Upon determining that swamp buggies may be safely operated on a public road, street, or highway running through or located within such land, the state or federal agency shall post appropriate signs or otherwise inform the public that the operation of swamp buggies is allowed.

Section 7. Subsection (1) of section 316.3026, Florida Statutes, is amended to read:

316.3026 Unlawful operation of motor carriers.—

(1) The Office of Commercial Vehicle Enforcement Motor Carrier Compliance may issue out-of-service orders to motor
carriers, as defined in s. 320.01(33), who, after proper notice, have failed to pay any penalty or fine assessed by the department, or its agent, against any owner or motor carrier for violations of state law, refused to submit to a compliance review and provide records pursuant to s. 316.302(5) or s. 316.70, or violated safety regulations pursuant to s. 316.302 or insurance requirements in s. 627.7415. Such out-of-service orders have the effect of prohibiting the operations of any motor vehicles owned, leased, or otherwise operated by the motor carrier upon the roadways of this state, until the violations have been corrected or penalties have been paid. Out-of-service orders must be approved by the director of the Division of the Florida Highway Patrol or his or her designee. An administrative hearing pursuant to s. 120.569 shall be afforded to motor carriers subject to such orders.

Section 8. Subsection (7) of section 316.2397, Florida Statutes, is amended to read:

316.2397 Certain lights prohibited; exceptions.—

(7) Flashing lights are prohibited on vehicles except:

(a) As a means of indicating a right or left turn, to change lanes, or to indicate that the vehicle is lawfully stopped or disabled upon the highway;

(b) When a motorist intermittently flashes his or her vehicle’s headlamps at an oncoming vehicle notwithstanding the motorist’s intent for doing so; and or except that

(c) For the lamps authorized in subsections (1), (2), (3), (4), and (9) and s. 316.235(5), which are permitted to flash.

Section 9. Subsection (1) of section 316.6135, Florida Statutes, is amended to read:
316.6135 Leaving children unattended or unsupervised in motor vehicles; penalty; authority of law enforcement officer.—

(1) A parent, legal guardian, or other person responsible for a child younger than 6 years of age may not leave the__such__ child unattended or unsupervised in a motor vehicle:

(a) For a period in excess of 15 minutes;_

(b) For any period of time if the motor of the vehicle is running, or the health of the child is in danger, or the child appears to be in distress.

Section 10. Subsection (9) of section 316.614, Florida Statutes, is amended to read:

316.614 Safety belt usage.—

(9) By January 1, 2006, Each law enforcement agency in this state shall adopt departmental policies to prohibit the practice of racial profiling. When a law enforcement officer issues a citation for a violation of this section, the law enforcement officer must record the race and ethnicity of the violator. All law enforcement agencies must maintain such information and forward the information to the department in a form and manner determined by the department. The department shall collect this information by jurisdiction and annually report the data to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must show separate statewide totals for the state’s county sheriffs and municipal law enforcement agencies, state law enforcement agencies, and state university law enforcement agencies.

Section 11. Subsections (9) and (10) of section 318.14, Florida Statutes, are amended to read:

318.14 Noncriminal traffic infractions; exception;
procedures.—

(9) Any person who does not hold a commercial driver's license and who is cited while driving a noncommercial motor vehicle for an infraction under this section other than a violation of s. 316.183(2), s. 316.187, or s. 316.189 when the driver exceeds the posted limit by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court appearance, elect to attend in the location of his or her choice within this state a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles. In such a case, adjudication must be withheld and points, as provided by s. 322.27, may not be assessed. However, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months. A person may not make more than five elections within his or her lifetime under this subsection. The requirement for community service under s. 318.18(8) is not waived by a plea of nolo contendere or by the withholding of adjudication of guilt by a court. If a person makes an election to attend a basic driver improvement course under this subsection, 18 percent of the civil penalty imposed under s. 318.18(3) shall be deposited in the State Courts Revenue Trust Fund; however, that portion is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35.

(10)(a) Any person who does not hold a commercial driver's license and who is cited while driving a noncommercial motor vehicle for an offense listed under this subsection may, in lieu of payment of fine or court appearance, elect to enter a
plea of nolo contendere and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau. In such case, adjudication shall be withheld; however, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months preceding election hereunder. A person may not make more than three elections under this subsection. This subsection applies to the following offenses:

1. Operating a motor vehicle without a valid driver's license in violation of the provisions of s. 322.03, s. 322.065, or s. 322.15(1), or operating a motor vehicle with a license that has been suspended for failure to appear, failure to pay civil penalty, or failure to attend a driver improvement course pursuant to s. 322.291.

2. Operating a motor vehicle without a valid registration in violation of s. 320.0605, s. 320.07, or s. 320.131.

3. Operating a motor vehicle in violation of s. 316.646.

4. Operating a motor vehicle with a license that has been suspended under s. 61.13016 or s. 322.245 for failure to pay child support or for failure to pay any other financial obligation as provided in s. 322.245; however, this subparagraph does not apply if the license has been suspended pursuant to s. 322.245(1).

5. Operating a motor vehicle with a license that has been suspended under s. 322.091 for failure to meet school attendance requirements.

(b) Any person cited for an offense listed in this subsection shall present proof of compliance before prior to the
scheduled court appearance date. For the purposes of this subsection, proof of compliance shall consist of a valid, renewed, or reinstated driver's license or registration certificate and proper proof of maintenance of security as required by s. 316.646. Notwithstanding waiver of fine, any person establishing proof of compliance shall be assessed court costs of $25, except that a person charged with violation of s. 316.646(1)-(3) may be assessed court costs of $8. One dollar of such costs shall be remitted to the Department of Revenue for deposit into the Child Welfare Training Trust Fund of the Department of Children and Family Services. One dollar of such costs shall be distributed to the Department of Juvenile Justice for deposit into the Juvenile Justice Training Trust Fund. Fourteen dollars of such costs shall be distributed to the municipality and $9 shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, if the offense was committed within the municipality. If the offense was committed in an unincorporated area of a county or if the citation was for a violation of s. 316.646(1)-(3), the entire amount shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, except for the moneys to be deposited into the Child Welfare Training Trust Fund and the Juvenile Justice Training Trust Fund. This subsection shall not be construed to authorize the operation of a vehicle without a valid driver's license, without a valid vehicle tag and registration, or without the maintenance of required security.

Section 12. Paragraph (c) is added to subsection (1) of section 318.15, Florida Statutes, to read:
318.15 Failure to comply with civil penalty or to appear; penalty.—

(1)

(c) A person who is charged with a traffic infraction may request a hearing within 180 days after the date upon which the violation occurred, regardless of any action taken by the court or the department to suspend the person’s driving privilege, and upon request, the clerk must set the case for hearing. The person shall be given a form for requesting that his or her driving privilege be reinstated. If the 180th day after the date upon which the violation occurred is a Saturday, Sunday, or legal holiday, the person who is charged must request a hearing within 177 days after the date upon which the violation occurred; however, the court may grant a request for a hearing made more than 180 days after the date upon which the violation occurred. This paragraph does not affect the assessment of late fees as otherwise provided in this chapter.

Section 13. Paragraph (f) of subsection (3) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(3)

(f) If a violation of s. 316.1301 or s. 316.1303(1) or 316.1303 results in an injury to the pedestrian or damage to the property of the pedestrian, an additional fine of up to $250 shall be paid. This amount must be distributed pursuant to s. 318.21.

Section 14. Subsection (5) of section 318.21, Florida
318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(5) Of the additional fine assessed under s. 318.18(3)(f) for a violation of s. 316.1303(1), 60 percent must be remitted to the Department of Revenue and transmitted monthly to the Florida Endowment Foundation for Vocational Rehabilitation, and 40 percent must be distributed pursuant to subsections (1) and (2).

Section 15. Section 319.14, Florida Statutes, is amended to read:

319.14 Sale of motor vehicles registered or used as taxicabs, police vehicles, lease vehicles, or rebuilt vehicles, and nonconforming vehicles, custom vehicles, or street rod vehicles.—

(1)(a) No person may not knowingly offer for sale, sell, or exchange any vehicle that has been licensed, registered, or used as a taxicab, police vehicle, or short-term-lease vehicle, or a vehicle that has been repurchased by a manufacturer pursuant to a settlement, determination, or decision under chapter 681, until the department has stamped in a conspicuous place on the certificate of title of the vehicle, or its duplicate, words stating the nature of the previous use of the vehicle or the title has been stamped “Manufacturer’s Buy Back” to reflect that the vehicle is a nonconforming vehicle. If the certificate of title or duplicate was not so stamped upon initial issuance thereof or if, subsequent to initial issuance
of the title, the use of the vehicle is changed to a use
requiring the notation provided for in this section, the owner
or lienholder of the vehicle shall surrender the certificate of
title or duplicate to the department prior to offering the
vehicle for sale, and the department shall stamp the certificate
or duplicate as required herein. When a vehicle has been
repurchased by a manufacturer pursuant to a settlement,
determination, or decision under chapter 681, the title shall be
stamped “Manufacturer’s Buy Back” to reflect that the vehicle is
a nonconforming vehicle.

(b) A person may not knowingly offer for sale,
sell, or exchange a rebuilt vehicle until the department has
stamped in a conspicuous place on the certificate of title for
the vehicle words stating that the vehicle has been rebuilt or
assembled from parts, or is a kit car, glider kit, replica, or
flood vehicle, custom vehicle, or street rod vehicle unless
proper application for a certificate of title for a vehicle that
is rebuilt or assembled from parts, or is a kit car, glider kit,
replica, or flood vehicle, custom vehicle, or street rod vehicle
has been made to the department in accordance with this chapter
and the department has conducted the physical examination of the
vehicle to assure the identity of the vehicle and all major
component parts, as defined in s. 319.30(1), which have been
repaired or replaced. Thereafter, the department shall affix a
decal to the vehicle, in the manner prescribed by the
department, showing the vehicle to be rebuilt.

(c) As used in this section, the term:

1. “Police vehicle” means a motor vehicle owned or leased
by the state or a county or municipality and used in law
2. a. “Short-term-lease vehicle” means a motor vehicle leased without a driver and under a written agreement to one or more persons from time to time for a period of less than 12 months.

b. “Long-term-lease vehicle” means a motor vehicle leased without a driver and under a written agreement to one person for a period of 12 months or longer.

c. “Lease vehicle” includes both short-term-lease vehicles and long-term-lease vehicles.

3. “Rebuilt vehicle” means a motor vehicle or mobile home built from salvage or junk, as defined in s. 319.30(1).

4. “Assembled from parts” means a motor vehicle or mobile home assembled from parts or combined from parts of motor vehicles or mobile homes, new or used. “Assembled from parts” does not mean a motor vehicle defined as a “rebuilt vehicle” in subparagraph 3., which has been declared a total loss pursuant to s. 319.30.

5. “Kit car” means a motor vehicle assembled with a kit supplied by a manufacturer to rebuild a wrecked or outdated motor vehicle with a new body kit.

6. “Glider kit” means a vehicle assembled with a kit supplied by a manufacturer to rebuild a wrecked or outdated truck or truck tractor.

7. “Replica” means a complete new motor vehicle manufactured to look like an old vehicle.

8. “Flood vehicle” means a motor vehicle or mobile home that has been declared to be a total loss pursuant to s. 319.30(3)(a) resulting from damage caused by water.
9. “Nonconforming vehicle” means a motor vehicle which has been purchased by a manufacturer pursuant to a settlement, determination, or decision under chapter 681.

10. “Settlement” means an agreement entered into between a manufacturer and a consumer that occurs after a dispute is submitted to a program, or an informal dispute settlement procedure established by a manufacturer or is approved for arbitration before the New Motor Vehicle Arbitration Board as defined in s. 681.102.

11. “Custom vehicle” means a motor vehicle that:
   a. Is 25 years of age or older and of a model year after 1948 or was manufactured to resemble a vehicle that is 25 years of age or older and of a model year after 1948; and
   b. Has been altered from the manufacturer’s original design or has a body constructed from nonoriginal materials.

The model year and year of manufacture that the body of a custom vehicle resembles is the model year and year of manufacture listed on the certificate of title, regardless of when the vehicle was actually manufactured.

12. “Street rod” means a motor vehicle that:
   a. Is of a model year of 1948 or older or was manufactured after 1948 to resemble a vehicle of a model year of 1948 or older; and
   b. Has been altered from the manufacturer’s original design or has a body constructed from nonoriginal materials.

The model year and year of manufacture that the body of a street rod resembles is the model year and year of manufacture listed.
(2) A person may not sell, exchange, or transfer a vehicle referred to in subsection (1) without, before consummating the sale, exchange, or transfer, disclosing in writing to the purchaser, customer, or transferee the fact that the vehicle has previously been titled, registered, or used as a taxicab, police vehicle, or short-term-lease vehicle, or is a vehicle that is rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle, or is a nonconforming vehicle, custom vehicle, or street rod vehicle, as the case may be.

(3) Any person who, with intent to offer for sale or exchange any vehicle referred to in subsection (1), knowingly or intentionally advertises, publishes, disseminates, circulates, or places before the public in any communications medium, whether directly or indirectly, any offer to sell or exchange the vehicle shall clearly and precisely state in each such offer that the vehicle has previously been titled, registered, or used as a taxicab, police vehicle, or short-term-lease vehicle or that the vehicle or mobile home is a vehicle that is rebuilt or assembled from parts, or is a kit car, glider kit, replica, or flood vehicle, or is a nonconforming vehicle, custom vehicle, or street rod vehicle, as the case may be. Any person who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(4) If a certificate of title, including a foreign certificate, is branded to reflect a condition or prior use of the titled vehicle, the brand must be noted on the registration.
certificate of the vehicle and such brand shall be carried forward on all subsequent certificates of title and registration certificates issued for the life of the vehicle.

(5) Any person who knowingly sells, exchanges, or offers to sell or exchange a motor vehicle or mobile home contrary to the provisions of this section or any officer, agent, or employee of a person who knowingly authorizes, directs, aids in, or consents to the sale, exchange, or offer to sell or exchange a motor vehicle or mobile home contrary to the provisions of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(6) Any person who removes a rebuilt decal from a rebuilt vehicle with the intent to conceal the rebuilt status of the vehicle commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7) This section applies to a mobile home, travel trailer, camping trailer, truck camper, or fifth-wheel recreation trailer only when the mobile home or vehicle is a rebuilt vehicle or is assembled from parts.

(8) No person shall be liable or accountable in any civil action arising out of a violation of this section if the designation of the previous use or condition of the motor vehicle is not noted on the certificate of title and registration certificate of the vehicle which was received by, or delivered to, such person, unless such person has actively concealed the prior use or condition of the vehicle from the purchaser.

(9) Subsections (1), (2), and (3) do not apply to the transfer of ownership of a motor vehicle after the motor vehicle
has ceased to be used as a lease vehicle and the ownership has
been transferred to an owner for private use or to the transfer
of ownership of a nonconforming vehicle with 36,000 or more
miles on its odometer, or 34 months whichever is later and the
ownership has been transferred to an owner for private use. Such
owner, as shown on the title certificate, may request the
department to issue a corrected certificate of title that does
not contain the statement of the previous use of the vehicle as
a lease vehicle or condition as a nonconforming vehicle.

Section 16. Subsection (6) of section 319.23, Florida
Statutes, is amended, present subsections (7) through (11) of
that section are redesignated as subsections (8) through (12),
respectively, and a new subsection (7) is added to that section,
to read:

319.23 Application for, and issuance of, certificate of
title.—

(6)(a) In the case of the sale of a motor vehicle or mobile
home by a licensed dealer to a general purchaser, the
certificate of title must be obtained in the name of the
purchaser by the dealer upon application signed by the
purchaser, and in each other case the such certificate must be
obtained by the purchaser. In each case of transfer of a motor
vehicle or mobile home, the application for a certificate of
title, a corrected certificate, or an assignment or reassignment
must be filed within 30 days after the delivery of the motor
vehicle or after consummation of the sale of the mobile home to
the purchaser. An applicant must pay a fee of $20, in addition
to all other fees and penalties required by law, for failing to
file such application within the specified time. In the case of
the sale of a motor vehicle by a licensed motor vehicle dealer
to a general purchaser who resides in another state or country,
the dealer is not required to apply for a certificate of title
for the motor vehicle; however, the dealer must transfer
ownership and reassign the certificate of title or
manufacturer’s certificate of origin to the purchaser, and the
purchaser must sign an affidavit, as approved by the department,
that the purchaser will title and register the motor vehicle in
another state or country.

(b) If a licensed dealer acquires a motor vehicle or mobile
home as a trade-in, the dealer must file with the department,
within 30 days, a notice of sale signed by the seller. The
department shall update its database for that title record to
indicate “sold.” A licensed dealer need not apply for a
certificate of title for any motor vehicle or mobile home in
stock acquired for stock purposes except as provided in s.
319.225.

(7) If an applicant for a certificate of title is unable to
provide the department with a certificate of title that assigns
the prior owner’s interest in the motor vehicle, the department
may accept a bond in the form prescribed by the department,
along with an affidavit in a form prescribed by the department,
which includes verification of the vehicle identification number
and an application for title.

(a) The bond must be:
1. In a form prescribed by the department;
2. Executed by the applicant;
3. Issued by a person authorized to conduct a surety
business in this state;
4. In an amount equal to two times the value of the vehicle as determined by the department; and

5. Conditioned to indemnify all prior owners and lienholders and all subsequent purchasers of the vehicle or persons who acquire a security interest in the vehicle, and their successors in interest, against any expense, loss, or damage, including reasonable attorney fees, occurring because of the issuance of the certificate of title for the vehicle or for a defect in or undisclosed security interest on the right, title, or interest of the applicant to the vehicle.

(b) An interested person has a right to recover on the bond for a breach of the bond’s condition. The aggregate liability of the surety to all persons may not exceed the amount of the bond.

(c) A bond under this subsection expires on the third anniversary of the date the bond became effective.

(d) The affidavit must:

1. Be in a form prescribed by the department;

2. Include the facts and circumstances under which the applicant acquired ownership and possession of the motor vehicle;

3. Disclose that no security interests, liens, or encumbrances against the motor vehicle are known to the applicant against the motor vehicle; and

4. State that the applicant has the right to have a certificate of title issued.

Section 17. Subsection (8) of section 319.24, Florida Statutes, is amended to read:

319.24 Issuance in duplicate; delivery; liens and encumbrances.—
(8) Notwithstanding any requirements in this section or in s. 319.27 indicating that a lien on a motor vehicle or mobile home shall be noted on the face of the Florida certificate of title, if there are one or more liens or encumbrances on the motor vehicle or mobile home, the department shall may electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions shall may be electronically transmitted to the department and shall must include the name and address of the person or entity satisfying the lien. When electronic transmission of liens and lien satisfactions is are used, the issuance of a certificate of title may be waived until the last lien is satisfied and a clear certificate of title is issued to the owner of the vehicle. In subsequent transfer of ownership of the motor vehicle, it shall be presumed that the motor vehicle title is subject to a lien as set forth in s. 319.225(6)(a) until the title to be issued pursuant to this subsection is received by the person or entity satisfying the lien.

Section 18. Subsection (7) is added to section 319.27, Florida Statutes, to read:

319.27 Notice of lien on motor vehicles or mobile homes; notation on certificate; recording of lien.—

(7) The department shall establish and administer an electronic titling program that requires the electronic recording of vehicle title information for new, transferred, and corrected certificates of title. Lienholders shall electronically transmit liens and lien satisfactions to the department in a format determined by the department. Individuals and lienholders who the department determines are not normally
engaged in the business or practice of financing vehicles are exempt from the electronic titling requirement.

Section 19. Subsection (3) is added to section 319.28, Florida Statutes, to read:

319.28 Transfer of ownership by operation of law.—
(3) A dealer of farm or industrial equipment who conducts a repossession, as defined in s. 493.6101(22), of such equipment is not subject to licensure as a recovery agent or recovery agency if the dealer is regularly engaged in the sale of the equipment for a particular manufacturer and the lender is affiliated with that manufacturer.

Section 20. Section 319.40, Florida Statutes, is amended to read:

319.40 Transactions by electronic or telephonic means.—
(1) The department may accept an application provided for under this chapter by electronic or telephonic means.
(2) The department may issue an electronic certificate of title in lieu of printing a paper title.
(3) The department may collect electronic mail addresses and use electronic mail in lieu of the United States Postal Service as a method of notification. However, any notice regarding the potential forfeiture or foreclosure of an interest in property must be sent via the United States Postal Service.

Section 21. Paragraph (a) of subsection (1) of section 320.01, Florida Statutes, is amended, and subsection (46) is added to that section, to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:
(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, special mobile equipment as defined in s. 316.003(48), such vehicles as run only upon a track, bicycles, swamp buggies, or mopeds.

(46) “Swamp buggy” means a motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

Section 22. Subsection (2) and paragraph (e) of subsection (5) of section 320.02, Florida Statutes, are amended, and subsection (18) is added to that section, to read:

320.02 Registration required; application for registration; forms.—

(2)(a) The application for registration shall include the street address of the owner’s permanent residence or the address of his or her permanent place of business and shall be accompanied by personal or business identification information which may include, but need not be limited to, a driver’s license number, Florida identification card number, or federal employer identification number. If the owner does not have a permanent residence or permanent place of business or if the owner’s permanent residence or permanent place of business cannot be identified by a street address, the application shall
include:

1. If the vehicle is registered to a business, the name and street address of the permanent residence of an owner of the business, an officer of the corporation, or an employee who is in a supervisory position.

2. If the vehicle is registered to an individual, the name and street address of the permanent residence of a close relative or friend who is a resident of this state.

If the vehicle is registered to an active duty member of the Armed Forces of the United States who is a Florida resident, the active duty member is exempt from the requirement to provide the street address of a permanent residence.

(b) The department shall prescribe a form upon which motor vehicle owners may record odometer readings when registering their motor vehicles.

(5)

(e) Upon the expiration date noted in the cancellation policy that the department receives from the insurer, the department shall suspend the registration, issued under this chapter or s. 207.004(1), of a motor carrier who operates a commercial motor vehicle or who permits it to be operated in this state during the registration period without having in full force and effect liability insurance, a surety bond, or a valid self-insurance certificate that complies with the provisions of this section. The department may cancel the liability insurance policy or surety bond no less than 10 days after receiving the insurer’s notice, and may not be canceled on less than 30 days’ written notice by the insurer to the department, such 30 days’ notice to
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commence from the date notice is received by the department. The
insurer’s notice must contain information required by the
department and must be provided in a format that is compatible
with the data processing capabilities of the department. The
department may adopt rules regarding the form and required
documentation. An insurer who fails to file the proper
documentation with the department as required in this subsection
or by rules adopted under this subsection violates the Florida
Insurance Code. The department shall use the documentation only
for enforcement and regulatory purposes, including the
generation of data regarding compliance by owners of motor
vehicles with the requirements for financial responsibility
coverage.

(18) The department shall retain all electronic
registration records for at least 10 years.

Section 23. Effective July 1, 2012, subsection (9) is added
to section 320.023, Florida Statutes, to read:

320.023 Requests to establish voluntary checkoff on motor
vehicle registration application.—
(9) Notwithstanding ss. 320.02, 320.023(3), and 328.72(11),
the department shall develop a bid process for legislatively
authorized voluntary contribution organizations to be listed on
the renewal notices for vehicle registrations, vessel
registrations, and driver licenses.

(a) The department shall conduct an open bidding process to
determine which voluntary contribution organizations may be
listed on the renewal notices beginning with the 2013 calendar
year. In September 2012, and each September thereafter, the
department shall accept bids from legislatively authorized
organizations that submit requests to be listed on the renewal notices during the following calendar year. The department shall list a maximum of 20 organizations on the renewal notices. The department shall list the organizations that are not listed on the renewal notices on its Internet website. Renewal notices printed by the department or the tax collector must contain only those organizations that request and participate in the bidding process and are one of the 20 organizations chosen to be listed on the renewal notices.

(b) Funds collected by the department through the bidding process shall be deposited into the Highway Safety Operating Trust Fund to offset the costs associated with administering the voluntary contribution program. The department shall refund the fees collected from voluntary contribution organizations that are not selected to be listed on the renewal notices.

Section 24. Subsection (8) of section 320.03, Florida Statutes, is amended to read:

320.03 Registration; duties of tax collectors; International Registration Plan.—

(8) If the applicant’s name appears on the list referred to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a license plate or revalidation sticker may not be issued until that person’s name no longer appears on the list or until the person presents a receipt from the governmental entity or the clerk of court that provided the data showing that the fines outstanding have been paid. This subsection does not apply to the owner of a leased vehicle if the vehicle is registered in the name of the lessee of the vehicle. The tax collector and the clerk of the court are each entitled to receive monthly, as costs for
implementing and administering this subsection, 10 percent of the civil penalties and fines recovered from such persons. As used in this subsection, the term “civil penalties and fines” does not include a wrecker operator’s lien as described in s. 713.78(13). If the tax collector has private tag agents, such tag agents are entitled to receive a pro rata share of the amount paid to the tax collector, based upon the percentage of license plates and revalidation stickers issued by the tag agent compared to the total issued within the county. The authority of any private agent to issue license plates shall be revoked, after notice and a hearing as provided in chapter 120, if he or she issues any license plate or revalidation sticker contrary to the provisions of this subsection. This section applies only to the annual renewal in the owner’s birth month of a motor vehicle registration and does not apply to the transfer of a registration of a motor vehicle sold by a motor vehicle dealer licensed under this chapter, except for the transfer of registrations which includes is inclusive of the annual renewals. This section does not affect the issuance of the title to a motor vehicle, notwithstanding s. 319.23(8)(b) 319.23(7)(b).

Section 25. Paragraph (c) of subsection (1) and paragraph (a) of subsection (3) of section 320.06, Florida Statutes, are amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(1)

(c) Registration license plates equipped with validation stickers subject to the registration period are valid for not
more than 12 months and expire at midnight on the last day of the registration period. A registration license plate equipped with a validation sticker subject to the extended registration period is valid for not more than 24 months and expires at midnight on the last day of the extended registration period.

For each registration period after the one in which the original metal registration license plate is issued, and until the license plate is required to be replaced, a validation sticker showing the month and year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 12 months. For each extended registration period occurring after the one in which the original metal registration license plate is issued and until the license plate is required to be replaced, a validation sticker showing the year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 24 months. When license plates equipped with validation stickers are issued in any month other than the owner’s birth month or the designated registration period for any other motor vehicle, the effective date shall reflect the birth month or month and the year of renewal. However, when a license plate or validation sticker is issued for a period of less than 12 months, the applicant shall pay the appropriate amount of license tax and the applicable fee under s. 320.14 in addition to all other fees. Validation stickers issued for vehicles taxed under s. 320.08(6)(a), for any company that owns 250 vehicles or more, or for semitrailers taxed under the provisions of s. 320.08(5)(a), for any company that owns 50 vehicles or more, may be placed on any vehicle in the fleet so long as the vehicle receiving the
validation sticker has the same owner’s name and address as the vehicle to which the validation sticker was originally assigned.

(3)(a) Registration license plates must be made of metal specially treated with a retroreflection material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must be at least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the department to accommodate motorcycles, mopeds, or similar smaller vehicles. Validation stickers must also be treated with a retroreflection material, must be of such size as specified by the department, and must adhere to the license plate. The registration license plate must be imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number. The license plate must be imprinted with the word “Florida” at the top and the name of the county in which it is sold, the state motto, or the words “Sunshine State” at the bottom. Apportioned license plates must have the word “Apportioned” at the bottom and license plates issued for vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have the word “Restricted” at the bottom. License plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word “Florida” at the top and the word “Dealer” at the bottom. Manufacturer license plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word “Florida” at the top and the word “Manufacturer” at the bottom. License plates issued for vehicles taxed under s. 320.08(5)(d) or (e) must be imprinted with the word “Wrecker” at the bottom. Any county may,
upon majority vote of the county commission, elect to have the county name removed from the license plates sold in that county. The state motto or the words “Sunshine State” shall be printed in lieu thereof. A license plate issued for a vehicle taxed under s. 320.08(6) may not be assigned a registration license number or be issued with any other distinctive character or designation that distinguishes the motor vehicle as a for-hire motor vehicle.

Section 26. Section 320.0605, Florida Statutes, is amended to read:

320.0605 Certificate of registration; possession required; exception.—

(1) The registration certificate or an official copy thereof, a true copy of a rental or lease documentation agreement issued for a motor vehicle or issued for a replacement vehicle in the same registration period, a temporary receipt printed upon self-initiated electronic renewal of a registration via the Internet, or a cab card issued for a vehicle registered under the International Registration Plan shall, at all times while the vehicle is being used or operated on the roads of this state, be in the possession of the operator thereof or be carried in the vehicle for which issued and shall be exhibited upon demand of any authorized law enforcement officer or any agent of the department, except for a vehicle registered under s. 320.0657. The provisions of this section do not apply during the first 30 days after purchase of a replacement vehicle. A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

(2) Rental or lease documentation that is sufficient to
satisfy the requirement in subsection (1) includes the following:

(a) Date of rental and time of exit from rental facility;
(b) Rental station identification;
(c) Rental agreement number;
(d) Rental vehicle identification number;
(e) Rental vehicle license plate number and state of registration;
(f) Vehicle’s make, model, and color;
(g) Vehicle’s mileage; and
(h) Authorized renter’s name.

Section 27. Section 320.061, Florida Statutes, is amended to read:

320.061 Unlawful to alter motor vehicle registration certificates, license plates, temporary license plates, mobile home stickers, or validation stickers or to obscure license plates; penalty. — No person may not alter the original appearance of a vehicle registration certificate, any registration license plate, temporary license plate, mobile home sticker, or validation sticker, or vehicle registration certificate issued for and assigned to any motor vehicle or mobile home, whether by mutilation, alteration, defacement, or change of color or in any other manner. No person may not apply or attach any substance, reflective matter, illuminated device, spray, coating, covering, or other material onto or around any license plate which interferes with the legibility, angular visibility, or detectability of any feature or detail on the license plate or interferes with the ability to record any feature or detail on the license plate. Any person
who violates this section commits a noncriminal traffic
infraction, punishable as a moving violation as provided in
chapter 318.

Section 28. Subsection (1) of section 320.07, Florida
Statutes, is amended to read:

320.07 Expiration of registration; renewal required;
penalties.—

(1) The registration of a motor vehicle or mobile home
expires at midnight on the last day of the registration or
extended registration period, or for a motor vehicle or mobile
home owner who is a natural person, at midnight on the owner’s
birthday. A vehicle may shall not be operated on the roads of
this state after expiration of the renewal period unless the
registration has been renewed according to law.

Section 29. Paragraph (e) of subsection (4) of section
320.08068, Florida Statutes, is amended to read:

320.08068 Motorcycle specialty license plates.—

(4) A license plate annual use fee of $20 shall be
collected for each motorcycle specialty license plate. Annual
use fees shall be distributed to The Able Trust as custodial
agent. The Able Trust may retain a maximum of 10 percent of the
proceeds from the sale of the license plate for administrative
costs. The Able Trust shall distribute the remaining funds as
follows:

(e) Twenty percent to the Florida Association of Centers
for Independent Living to be used to leverage additional funding
and new sources of revenue for the centers for independent
living in this state.

Section 30. Subsection (4) of section 320.0848, Florida
Statutes, is amended to read:

320.0848 Persons who have disabilities; issuance of

disabled parking permits; temporary permits; permits for certain
providers of transportation services to persons who have
disabilities.—

(4) From the proceeds of the temporary disabled parking
permit fees:

(a) The Department of Highway Safety and Motor Vehicles
must receive $3.50 for each temporary permit, to be deposited
into the Highway Safety Operating Trust Fund and used for
implementing the real-time disabled parking permit database and
for administering the disabled parking permit program.

(b) The tax collector, for processing, must receive $2.50
for each temporary permit.

(c) The remainder must be distributed monthly as follows:

1. To the Florida Endowment Foundation for Vocational
   Rehabilitation, known as “The Able Trust,” Florida Governor’s
   Alliance for the Employment of Disabled Citizens for the purpose
   of improving employment and training opportunities for persons
   who have disabilities, with special emphasis on removing
   transportation barriers, $4. These fees must be directly
   deposited into the Florida Endowment Foundation for Vocational
   Rehabilitation as established in s. 413.615 Transportation
   Disadvantaged Trust Fund for transfer to the Florida Governor’s
   Alliance for Employment of Disabled Citizens.

2. To the Transportation Disadvantaged Trust Fund to be
   used for funding matching grants to counties for the purpose of
   improving transportation of persons who have disabilities, $5.

Section 31. Section 320.089, Florida Statutes, is amended
to read:

320.089 Members of National Guard and active United States Armed Forces reservists; former prisoners of war; survivors of Pearl Harbor; Purple Heart medal recipients; Operation Iraqi Freedom and Operation Enduring Freedom Veterans; Combat Infantry Badge recipients; special license plates; fee.—

(1)(a) Each owner or lessee of an automobile or truck for private use or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and an active or retired member of the Florida National Guard, a survivor of the attack on Pearl Harbor, a recipient of the Purple Heart medal, or an active or retired member of any branch of the United States Armed Forces Reserve, or a recipient of the Combat Infantry Badge shall, upon application to the department, accompanied by proof of active membership or retired status in the Florida National Guard, proof of membership in the Pearl Harbor Survivors Association or proof of active military duty in Pearl Harbor on December 7, 1941, proof of being a Purple Heart medal recipient, or proof of active or retired membership in any branch of the Armed Forces Reserve, or proof of membership in the Combat Infantrymen’s Association, Inc., or other proof of being a recipient of the Combat Infantry Badge, and upon payment of the license tax for the vehicle as provided in s. 320.08, be issued a license plate as provided by s. 320.06, upon which, in lieu of the serial numbers prescribed by s. 320.06, shall be stamped the words “National Guard,” “Pearl Harbor Survivor,” “Combat-wounded veteran,” or “U.S. Reserve,” or “Combat Infantry Badge,” as appropriate, followed by the serial number of the
license plate. Additionally, the Purple Heart plate may have the words “Purple Heart” stamped on the plate and the likeness of the Purple Heart medal appearing on the plate.

(b) Notwithstanding any other provision of law to the contrary, beginning with fiscal year 2002-2003 and annually thereafter, the first $100,000 in general revenue generated from the sale of license plates issued under this section shall be annually deposited into the Grants and Donations Trust Fund, as described in s. 296.38(2), to be used for the purposes established by law for that trust fund. Any additional general revenue generated from the sale of such plates shall be deposited into the State Homes for Veterans Trust Fund and used solely to construct, operate, and maintain domiciliary and nursing homes for veterans, subject to the requirements of chapter 216.

(c) Notwithstanding any provisions of law to the contrary, an applicant for a Pearl Harbor Survivor license plate or a Purple Heart license plate who also qualifies for a disabled veteran’s license plate under s. 320.084 shall be issued the appropriate special license plate without payment of the license tax imposed by s. 320.08.

(2) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of the state and who is a former prisoner of war, or their unremarried surviving spouse, shall, upon application therefor to the department, be issued a license plate as provided in s. 320.06, on which license plate are stamped the words “Ex-POW”
followed by the serial number. Each application shall be accompanied by proof that the applicant meets the qualifications specified in paragraph (a) or paragraph (b).

(a) A citizen of the United States who served as a member of the Armed Forces of the United States or the armed forces of a nation allied with the United States who was held as a prisoner of war at such time as the Armed Forces of the United States were engaged in combat, or their unremarried surviving spouse, may be issued the special license plate provided for in this subsection without payment of the license tax imposed by s. 320.08.

(b) A person who was serving as a civilian with the consent of the United States Government, or a person who was a member of the Armed Forces of the United States who was not a United States citizen and was held as a prisoner of war when the Armed Forces of the United States were engaged in combat, or their unremarried surviving spouse, may be issued the special license plate provided for in this subsection upon payment of the license tax imposed by s. 320.08.

(3) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use, who is a resident of this state and who is the unremarried surviving spouse of a recipient of the Purple Heart medal shall, upon application therefor to the department, with the payment of the required fees, be issued a license plate as provided in s. 320.06, on which license plate are stamped the words “Purple Heart” and the likeness of the Purple Heart medal followed by the serial
number. Each application shall be accompanied by proof that the applicant is the unremarried surviving spouse of a recipient of the Purple Heart medal.

(4) The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d) which automobile, truck, or recreational vehicle is not used for hire or commercial use who is a resident of the state and a current or former member of the United States military who was deployed and served in Iraq during Operation Iraqi Freedom or in Afghanistan during Operation Enduring Freedom shall, upon application to the department, accompanied by proof of active membership or former active duty status during one of these operations, and upon payment of the license tax for the vehicle as provided in s. 320.08, be issued a license plate as provided by s. 320.06 upon which, in lieu of the registration license number prescribed by s. 320.06, shall be stamped the words “Operation Iraqi Freedom” or “Operation Enduring Freedom,” as appropriate, followed by the registration license number of the plate.

Section 32. Section 320.15, Florida Statutes, is amended to read:

320.15 Refund of license tax.—Any resident owner of a motor vehicle or mobile home that has been destroyed or permanently removed from the state shall, upon application to the department and surrender of the license plate or mobile home sticker issued for such vehicle, be entitled to a credit to apply to registration of any other vehicle in the name of the owner, if the amount is $3 or more, for the unexpired period of the
license. However, if the license plate surrendered is a “for-
hire” license plate, the amount of credit may not be more than
one-half of the annual license tax amount. A credit will not
be valid after the expiration date of the license plate which is
current on the date of the credit, as provided in s. 320.07. A
motor vehicle or mobile home owner who renews a registration
during the advanced renewal period as provided in s. 320.071 and
who surrenders the motor vehicle or mobile home license plate
before the end of the renewal period may apply for a refund of
the license taxes assessed pursuant to s. 320.08.

Section 33. Subsection (3) of section 320.27, Florida
Statutes, is amended to read:

320.27 Motor vehicle dealers.—
(3) APPLICATION AND FEE.—The application for the license
shall be in such form as may be prescribed by the department and
shall be subject to such rules with respect thereto as may be so
prescribed by it. Such application shall be verified by oath or
affirmation and shall contain a full statement of the name and
birth date of the person or persons applying therefor; the name
of the firm or copartnership, with the names and places of
residence of all members thereof, if such applicant is a firm or
copartnership; the names and places of residence of the
principal officers, if the applicant is a body corporate or
other artificial body; the name of the state under whose laws
the corporation is organized; the present and former place or
places of residence of the applicant; and prior business in
which the applicant has been engaged and the location thereof.
Such application shall describe the exact location of the place
of business and shall state whether the place of business is
owned by the applicant and when acquired, or, if leased, a true copy of the lease shall be attached to the application. The applicant shall certify that the location provides an adequately equipped office and is not a residence; that the location affords sufficient unoccupied space upon and within which adequately to store all motor vehicles offered and displayed for sale; and that the location is a suitable place where the applicant can in good faith carry on such business and keep and maintain books, records, and files necessary to conduct such business, which will be available at all reasonable hours to inspection by the department or any of its inspectors or other employees. The applicant shall certify that the business of a motor vehicle dealer is the principal business which shall be conducted at that location. The such application shall contain a statement that the applicant is either franchised by a manufacturer of motor vehicles, in which case the name of each motor vehicle that the applicant is franchised to sell shall be included, or an independent (nonfranchised) motor vehicle dealer. The such application shall contain such other relevant information as may be required by the department, including evidence that the applicant is insured under a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy, which shall include, at a minimum, $25,000 combined single-limit liability coverage including bodily injury and property damage protection and $10,000 personal injury protection. However, a salvage motor vehicle dealer as defined in subparagraph (1)(c)5. is exempt from the requirements for garage liability insurance and personal injury protection insurance on those vehicles that
cannot be legally operated on state roads, highways, or streets.

Franchise dealers must submit a garage liability insurance policy, and all other dealers must submit a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy. Such policy shall be for the license period, and evidence of a new or continued policy shall be delivered to the department at the beginning of each license period. Upon making initial application, the applicant shall pay to the department a fee of $300 in addition to any other fees now required by law; upon making a subsequent renewal application, the applicant shall pay to the department a fee of $75 in addition to any other fees now required by law. Upon making an application for a change of location, the person shall pay a fee of $50 in addition to any other fees now required by law. The department shall, in the case of every application for initial licensure, verify whether certain facts set forth in the application are true. Each applicant, general partner in the case of a partnership, or corporate officer and director in the case of a corporate applicant, must file a set of fingerprints with the department for the purpose of determining any prior criminal record or any outstanding warrants. The department shall submit the fingerprints to the Department of Law Enforcement for state processing and forwarding to the Federal Bureau of Investigation for federal processing. The actual cost of state and federal processing shall be borne by the applicant and is in addition to the fee for licensure. The department may issue a license to an applicant pending the results of the fingerprint investigation, which license is fully revocable if the department subsequently determines that any facts set forth
Section 34. Paragraph (a) of subsection (1) of section 320.771, Florida Statutes, is amended to read:

320.771 License required of recreational vehicle dealers.—

(1) DEFINITIONS.—As used in this section:

(a)1. “Dealer” means any person engaged in the business of buying, selling, or dealing in recreational vehicles or offering or displaying recreational vehicles for sale. The term “dealer” includes a recreational vehicle broker. Any person who buys, sells, deals in, or offers or displays for sale, or who acts as the agent for the sale of, one or more recreational vehicles in any 12-month period shall be prima facie presumed to be a dealer. The terms “selling” and “sale” include lease-purchase transactions. The term “dealer” does not include banks, credit unions, and finance companies that acquire recreational vehicles as an incident to their regular business and does not include mobile home rental and leasing companies that sell recreational vehicles to dealers licensed under this section.

2. A licensed dealer may transact business in recreational vehicles with a motor vehicle auction as defined in s. 320.27(1)(c)4. Further, a licensed dealer may, at retail or wholesale, sell a motor vehicle, as described in s. 320.01(1)(a), acquired in exchange for the sale of a recreational vehicle, if the acquisition is incidental to the principal business of being a recreational vehicle dealer. However, a recreational vehicle dealer may not buy a motor vehicle for the purpose of resale unless licensed as a motor vehicle dealer pursuant to s. 320.27. A dealer may apply for a certificate of title to a recreational vehicle required to be
registered under s. 320.08(9), using a manufacturer’s statement of origin as permitted by s. 319.23(1), only if the dealer is authorized by a manufacturer/dealer agreement, as defined in s. 320.3202, on file with the department, to buy, sell, or deal in that particular line-make of recreational vehicle, and the dealer is authorized by the manufacturer/dealer agreement to perform delivery and preparation obligations and warranty defect adjustments on that line-make.

Section 35. Section 320.95, Florida Statutes, is amended to read:

320.95 Transactions by electronic or telephonic means.—
(1) The department may is authorized to accept an any application provided for under this chapter by electronic or telephonic means.

(2) The department may collect electronic mail addresses and use electronic mail in lieu of the United States Postal Service for the purpose of providing renewal notices.

Section 36. Section 322.04, Florida Statutes, is amended to read:

322.04 Persons exempt from obtaining driver’s license.—
(1) The following persons are exempt from obtaining a driver’s license:

(a) Any employee of the United States Government, while operating a noncommercial motor vehicle owned by or leased to the United States Government and being operated on official business.

(b) Any person while driving or operating any road machine, farm tractor, or implement of husbandry temporarily operated or
moved on a highway.

(c) A nonresident who is at least 16 years of age and who
has in his or her immediate possession a valid noncommercial
driver’s license issued to the nonresident in his or her home
state or country, may operate a motor vehicle of the type for
which a Class E driver’s license is required in this
state if the nonresident has in his or her immediate possession:

1. A valid noncommercial driver license issued in his or
her name from another state or territory of the United States;

2. An International Driving Permit issued in his or her
name in his or her country of residence and a valid license
issued in that country.

(d) A nonresident who is at least 18 years of age and who
has in his or her immediate possession a valid noncommercial
driver’s license issued to the nonresident in his or her home
state or country may operate a motor vehicle, other than a
commercial motor vehicle, in this state.

(e) Any person operating a golf cart, as defined in s.
320.01, which is operated in accordance with the provisions of
s. 316.212.

(2) The provisions of this section do not apply to any
person to whom s. 322.031 applies.

(3) Any person working for a firm under contract to the
United States Government, whose residence is without this state
and whose main point of employment is without this state may
drive a noncommercial vehicle on the public roads of this state
for periods up to 60 days while in this state on temporary duty,
provided such person has a valid driver’s license from
Section 37. Paragraph (a) of subsection (1) of section 322.051, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application and payment of an application fee.

(a) Each such application must include the following information regarding the applicant:

1. Full name (first, middle or maiden, and last), gender, proof of social security card number satisfactory to the department, county of residence, mailing address, proof of residential address satisfactory to the department, country of birth, and a brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

   a. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

   b. A certified copy of a United States birth certificate;

   c. A valid, unexpired United States passport;
d. A naturalization certificate issued by the United States Department of Homeland Security;

  e. A valid, unexpired alien registration receipt card (green card);

  f. A Consular Report of Birth Abroad provided by the United States Department of State;

  g. An unexpired employment authorization card issued by the United States Department of Homeland Security; or

  h. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, an applicant must provide at least one of the following documents. In addition, the department may require applicants to produce United States Department of Homeland Security documents for the sole purpose of establishing the maintenance of, or efforts to maintain, continuous lawful presence:

(1) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(2) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(3) A notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

(4) Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

(5) A notice of action transferring any pending matter from
another jurisdiction to Florida, issued by the United States Bureau of Citizenship and Immigration Services.

(VI) An order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

An identification card issued based on documents required Presentation of any of the documents described in sub-

subparagraph g. or sub-subparagraph h. is valid entitles the applicant to an identification card for a period not to exceed the expiration date of the document presented or 1 year, whichever first occurs first.

(9) Notwithstanding any other provision of this section or s. 322.21 to the contrary, the department shall issue or renew a card at no charge to a person who presents good cause for a fee waiver.

Section 38. Subsection (4) of section 322.058, Florida
Statutes, is amended to read:

322.058 Suspension of driving privileges due to support delinquency; reinstatement.—

(4) This section applies only to the annual renewal in the owner’s birth month of a motor vehicle registration and does not apply to the transfer of a registration of a motor vehicle sold by a motor vehicle dealer licensed under chapter 320, except for the transfer of registrations which includes is inclusive of the annual renewals. This section does not affect the issuance of the title to a motor vehicle, notwithstanding s. 319.23(8)(b) or 319.23(7)(b).

Section 39. Section 322.065, Florida Statutes, is amended to read:

322.065 Driver’s license expired for 6 months or less; penalties.—Any person whose driver’s license has been expired for 6 months or less and who drives a motor vehicle upon the highways of this state commits is guilty of an infraction and is subject to the penalty provided in s. 318.18.

Section 40. Subsection (3) of section 322.07, Florida Statutes, is amended to read:

322.07 Instruction permits and temporary licenses.—

(3) Any person who, except for his or her lack of instruction in operating a commercial motor vehicle, would otherwise be qualified to obtain a commercial driver’s license under this chapter, may apply for a temporary commercial instruction permit. The department shall issue such a permit entitled to the applicant, while having the permit in his or her immediate possession, to drive a commercial motor vehicle on the highways, if provided that:
(a) The applicant possesses a valid Florida driver's license issued in any state; and

(b) The applicant, while operating a commercial motor vehicle, is accompanied by a licensed driver who is 21 years of age or older, who is licensed to operate the class of vehicle being operated, and who is actually occupying the closest seat to the right of the driver.

Section 41. Paragraph (c) of subsection (2) of section 322.08, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

322.08 Application for license; requirements for license and identification card forms.—

(2) Each such application shall include the following information regarding the applicant:

(c) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

1. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., subparagraph 6., subparagraph 7., or subparagraph 8.;

2. A certified copy of a United States birth certificate;

3. A valid, unexpired United States passport;

4. A naturalization certificate issued by the United States Department of Homeland Security;

5. A valid, unexpired alien registration receipt card (green card);
6. A Consular Report of Birth Abroad provided by the United States Department of State;  
7. An unexpired employment authorization card issued by the United States Department of Homeland Security; or  
8. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original driver's license. In order to prove nonimmigrant classification, an applicant must provide at least one of the following documents. In addition, the department may require applicants to produce United States Department of Homeland Security documents for the sole purpose of establishing the maintenance of, or efforts to maintain, continuous lawful presence may produce the following documents, including, but not limited to:

   a. A notice of hearing from an immigration court scheduling a hearing on any proceeding.  
   b. A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.  
   c. A notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.  
   d. Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.  
   e. A notice of action transferring any pending matter from another jurisdiction to this state issued by the United States Bureau of Citizenship and Immigration Services.  
   f. An order of an immigration judge or immigration officer
granting any relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

g. Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

h. On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

A driver license or temporary permit issued based on documents required for the purpose of providing renewal notices. Presentation of any of the documents in subparagraph 7. or subparagraph 8. is valid for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.

(8) The department may collect electronic mail addresses and use electronic mail in lieu of the United States Postal Service for the purpose of providing renewal notices.

Section 42. Effective July 1, 2012, section 322.081, Florida Statutes, is amended to read:

322.081 Requests to establish voluntary checkoff on driver's license application.—

(1) An organization that seeks authorization to establish a voluntary contribution on a driver's license application must submit to the department:
(a) A request for the particular voluntary contribution being sought, describing the proposed voluntary contribution in general terms.

(b) An application fee, not to exceed $10,000 to defray the department’s cost for reviewing the application and developing the voluntary contribution checkoff, if authorized. State funds may not be used to pay the application fee.

(c) A marketing strategy outlining short-term and long-term marketing plans for the requested voluntary contribution and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contribution.

The information required under this subsection must be submitted to the department at least 90 days before the convening of the next regular session of the Legislature.

(2) If the voluntary contribution is not approved by the Legislature, the application fee must be refunded to the requesting organization.

(3) The department must include any voluntary contributions approved by the Legislature on the driver’s license application form when the form is reprinted by the agency.

(4)(a) The department must discontinue the voluntary contribution if:

1. Less than $25,000 has been contributed by the end of the 5th year.

2. Less than $25,000 is contributed during any subsequent 5-year period.

(b) The department is authorized to discontinue the
voluntary contribution and distribution of associated proceeds
if the organization no longer exists, if the organization has
stopped providing services that are authorized to be funded from
the voluntary contributions, or pursuant to an organizational
recipient’s request. Organizations are required to notify the
department immediately to stop warrants for voluntary check-off
contribution, if any of the conditions in this subsection exist,
and must meet the requirements of paragraph (5)(b) or paragraph
(5)(c), if applicable, for any period of operation during the
fiscal year.

(5) A voluntary contribution collected and distributed
under this chapter, or any interest earned from those
contributions, may not be used for commercial or for-profit
activities nor for general or administrative expenses, except as
authorized by law.

(a) All organizations that receive annual use fee proceeds
from the department are responsible for ensuring that proceeds
are used in accordance with law.

(b) Any organization not subject to audit pursuant to s.
215.97 shall annually attest, under penalties of perjury, that
such proceeds were used in compliance with law. The attestation
shall be made annually in a form and format determined by the
department.

(c) Any voluntary contributions authorized by law shall be
deposited into and distributed from the Motor Vehicle License
Clearing Trust Fund to the recipients specified in this chapter.

(d) Any organization subject to audit pursuant to s. 215.97
shall submit an audit report in accordance with rules
promulgated by the Auditor General. The annual attestation must
be submitted to the department for review within 9 months after the end of the organization’s fiscal year.

(6) Within 90 days after receiving an organization’s audit or attestation, the department shall determine which recipients have not complied with subsection (5). If the department determines that an organization has not complied or has failed to use the revenues in accordance with law, the department must discontinue the distribution of the revenues to the organization until the department determines that the organization has complied. If an organization fails to comply within 12 months after the voluntary contributions are withheld by the department, the proceeds shall be deposited into the Highway Safety Operating Trust Fund to offset department costs.

(7) The department has the authority to examine all records pertaining to the use of funds from the voluntary contributions authorized.

(8) All organizations seeking to establish a voluntary contribution on a driver’s license application which that are required to operate under the Solicitation of Contributions Act, as provided in chapter 496, must do so before funds may be distributed.

(9) Notwithstanding subsection (3) and s. 322.08(7), the department shall develop a bid process for legislatively authorized voluntary contribution organizations to be listed on the renewal notices for vehicle registrations, vessel registrations, and driver licenses.

(a) The department shall conduct an open bidding process to determine which voluntary contribution organizations may be listed on the renewal notices beginning with the 2013 calendar
year. In September 2012, and each September thereafter, the department shall accept bids from legislatively authorized organizations that submit requests to be listed on the renewal notices during the following calendar year. The department shall list a maximum of 20 organizations on the renewal notices. The department shall list the organizations that are not listed on the renewal notices on its Internet website. Renewal notices printed by the department or the tax collector must contain only those organizations that request and participate in the bidding process and are one of the 20 organizations chosen to be listed on the renewal notices.

(b) Funds collected by the department through the bidding process shall be deposited into the Highway Safety Operating Trust Fund to offset the costs associated with administering the voluntary contribution program. The department shall refund the fees collected from voluntary contribution organizations that are not selected to be listed on the renewal notices.

Section 43. Subsection (5) of section 322.121, Florida Statutes, is amended to read:

322.121 Periodic reexamination of all drivers.—

(5) Members of the Armed Forces, or their dependents residing with them, shall be granted an automatic extension for the expiration of their Class E licenses without reexamination while serving on active duty outside this state. This extension is valid for 90 days after the member of the Armed Forces is either discharged or returns to this state to live.

Section 44. Paragraph (a) of subsection (1) of section 322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—
(1)(a) The department shall, upon successful completion of all required examinations and payment of the required fee, issue to every qualified applicant qualifying therefor, a driver's license that must as applied for, which license shall bear thereon a color photograph or digital image of the licensee; the name of the state; a distinguishing number assigned to the licensee; and the licensee’s full name, date of birth, and residence address; a brief description of the licensee, including, but not limited to, the licensee’s gender and height; and the dates of issuance and expiration of the license. A space shall be provided upon which the licensee shall affix his or her usual signature. A license is invalid shall be valid until it has been signed by the licensee except that the signature of the said licensee is not shall not be required if it appears thereon in facsimile or if the licensee is not present within the state at the time of issuance. Applicants qualifying to receive a Class A, Class B, or Class C driver’s license must appear in person within the state for issuance of a color photographic or digital imaged driver’s license pursuant to s. 322.142.

Section 45. Section 322.1415, Florida Statutes, is created to read:

322.1415 Specialty driver license and identification card program.—

(1) The department may issue to any applicant qualified pursuant to s. 322.14 a specialty driver license or identification card upon payment of the appropriate fee pursuant to s. 322.21.

(2) Any specialty driver license or identification card
approved by the department shall, at a minimum, be available for
state and independent universities domiciled in this state, all
Florida professional sports teams designated pursuant to s.
320.08058(9)(a), and all branches of the United States Armed
Forces.

(3) The design and use of each specialty driver license and
identification card must be approved by the department and the
organization that is recognized by the driver license or card.

(4) Organizations receiving funds from this program shall
attest, under penalties of perjury, pursuant to s. 320.08062
that the funds have been expended in the same manner as provided
in s. 320.08058. On December 1 of each year, the department
shall deliver an annual report to the President of the Senate
and the Speaker of the House of Representatives which addresses
the viability of the program and details the amounts distributed
to each entity.

(5) This section is repealed August 31, 2016.

Section 46. Section 322.145, Florida Statutes, is created
to read:

322.145 Electronic authentication of licenses.—
(1) Any driver license issued on or after July 1, 2013,
must contain a means of electronic authentication which conforms
to a recognized standard for such authentication such as public
key infrastructure, symmetric key algorithms, security tokens,
mediametrics, or biometrics. The electronic authentication
capabilities must not interfere with or change the driver
license format or topology.

(2) The department shall provide, at the applicant’s option
and at the time a license is issued, a security token that can
be electronically authenticated through a personal computer. The token must also conform to one of the standards provided in subsection (1).

(3) The department shall negotiate a new contract with the vendor selected to implement the electronic authentication feature which contains a provision requiring that the vendor pay all the costs associated with implementing the system. The contract must not conflict with current contractual arrangements for the issuance of driver licenses.

Section 47. Paragraph (c) is added to subsection (1) of section 322.18, Florida Statutes, to read:

322.18 Original applications, licenses, and renewals; expiration of licenses; delinquent licenses.—

(1) (c) A person who has been issued a driver license based on documentation specified in s. 322.08(2)(c)8. as proof of identity is not eligible to renew the driver license and must obtain an original license.

Section 48. Subsection (2) of section 322.19, Florida Statutes, is amended to read:

322.19 Change of address or name.—

(2) Whenever any person, after applying for or receiving a driver’s license, changes the legal residence or mailing address in the application or license, the person must, within 10 calendar days after making the change, obtain a replacement license that reflects the change. A written request to the department must include the old and new addresses and the driver’s license number. Any person who has a valid, current student identification card issued by an educational institution
in this state is presumed not to have changed his or her legal
residence or mailing address. This subsection does not affect
any person required to register a permanent or temporary address
change pursuant to s. 775.13, s. 775.21, s. 775.25, or s. 943.0435.

Section 49. Present paragraphs (e) through (h) of
subsection (1) of section 322.21, Florida Statutes, are
redesignated as paragraphs (f) through (i), respectively, and
new paragraphs (e) and (j) are added to that subsection, to
read:

322.21 License fees; procedure for handling and collecting
fees.—

(1) Except as otherwise provided herein, the fee for:

(e) An original or renewal enhanced driver license or
identification card that meets the requirements of the Western
Hemisphere Travel Initiative, in addition to the fees required
in paragraph (a), paragraph (b), paragraph (c), or paragraph
(f), may not exceed $30. The funds collected pursuant to this
paragraph shall be deposited into the Highway Safety Operating
Trust Fund to offset the cost of administration and materials
related to the issuance of the enhanced driver license or
identification card. The issuance of an enhanced driver license
or identification card is optional for all residents who are
otherwise qualified to be issued a Class A, B, C, or E driver
license or an identification card.

(j) The specialty driver license or identification card
issued pursuant to s. 322.1415 is $25, which is in addition to
other fees required in this section. The fee shall be
distributed as follows:
1. Fifty percent shall be distributed as provided in s. 320.08058 to the appropriate state or independent university, professional sports team, or branch of the United States Armed Forces.

2. Fifty percent shall be distributed to the department for costs directly related to the specialty driver license and identification card program and to defray the costs associated with production enhancements and distribution.

Section 50. Subsection (2) of section 322.251, Florida Statutes, is amended to read:

322.251 Notice of cancellation, suspension, revocation, or disqualification of license.—

(2) The giving of notice and an order of cancellation, suspension, revocation, or disqualification by mail is complete upon expiration of 20 days after deposit in the United States mail for all notices except those issued under chapter 324 or ss. 627.733-627.734, which are complete 15 days after deposit in the United States mail. Proof of the giving of notice and an order of cancellation, suspension, revocation, or disqualification in either such manner shall be made by entry in the records of the department that such notice was given. The such entry is shall be admissible in the courts of this state and constitutes shall constitute sufficient proof that such notice was given.

Section 51. Section 322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke driver license or identification card.—

(1) Notwithstanding any provisions to the contrary in
chapter 120, the department may is hereby authorized to suspend
the license of any person without preliminary hearing upon a
showing of its records or other sufficient evidence that the
licensee:

(a) Has committed an offense for which mandatory revocation
of license is required upon conviction. A law enforcement agency
must provide information to the department within 24 hours after
any traffic fatality or when the law enforcement agency
initiates action pursuant to s. 316.1933;

(b) Has been convicted of a violation of any traffic law
which resulted in a crash that caused the death or personal
injury of another or property damage in excess of $500;

(c) Is incompetent to drive a motor vehicle;

(d) Has permitted an unlawful or fraudulent use of the such
license or identification card or has knowingness been a party to
the obtaining of a license or identification card by fraud or
misrepresentation or to the display, or representation represent
as one’s own, of a driver any driver’s license or identification
card not issued him or her. Provided, however, no provision of
This section does not shall be construed to include the
provisions of s. 322.32(1);

(e) Has committed an offense in another state which, if
committed in this state, would be grounds for suspension or
revocation; or

(f) Has committed a second or subsequent violation of s.
316.172(1) within a 5-year period of any previous violation.

(2) The department shall suspend the license of any person
without preliminary hearing upon a showing of its records that
the licensee has been convicted in any court having jurisdiction
over offenses committed under this chapter or any other law of
this state regulating the operation of a motor vehicle on the
highways, upon direction of the court, when the court feels that
the seriousness of the offense and the circumstances surrounding
the conviction warrant the suspension of the licensee’s driving
privilege.

(3) There is established a point system for evaluation of
convictions of violations of motor vehicle laws or ordinances,
and violations of applicable provisions of s. 403.413(6)(b) when
such violations involve the use of motor vehicles, for the
determination of the continuing qualification of any person to
operate a motor vehicle. The department is authorized to suspend
the license of any person upon showing of its records or other
good and sufficient evidence that the licensee has been
convicted of violation of motor vehicle laws or ordinances, or
applicable provisions of s. 403.413(6)(b), amounting to 12 or
more points as determined by the point system. The suspension
shall be for a period of not more than 1 year.

(a) When a licensee accumulates 12 points within a 12-month
period, the period of suspension shall be for not more than 30
days.

(b) When a licensee accumulates 18 points, including points
upon which suspension action is taken under paragraph (a),
within an 18-month period, the suspension shall be for a period
of not more than 3 months.

(c) When a licensee accumulates 24 points, including points
upon which suspension action is taken under paragraphs (a) and
(b), within a 36-month period, the suspension shall be for a
period of not more than 1 year.
(d) The point system shall have as its basic element a graduated scale of points assigning relative values to convictions of the following violations:

1. Reckless driving, willful and wanton—4 points.
2. Leaving the scene of a crash resulting in property damage of more than $50—6 points.
3. Unlawful speed resulting in a crash—6 points.
4. Passing a stopped school bus—4 points.
5. Unlawful speed:
   a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.
   b. In excess of 15 miles per hour of lawful or posted speed—4 points.
6. A violation of a traffic control signal device as provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
However, no points shall be imposed for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates.
7. All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, no points shall be imposed for a violation of s. 316.0741 or s. 316.2065(12); and points shall be imposed for a violation of s. 316.1001 only when imposed by the court after a hearing pursuant to s. 318.14(5).
8. Any moving violation covered above, excluding unlawful speed, resulting in a crash—4 points.

9. Any conviction under s. 403.413(6)(b)—3 points.

10. Any conviction under s. 316.0775(2)—4 points.

(e) A conviction in another state of a violation therein which, if committed in this state, would be a violation of the traffic laws of this state, or a conviction of an offense under any federal law substantially conforming to the traffic laws of this state, except a violation of s. 322.26, may be recorded against a driver on the basis of the same number of points received had the conviction been made in a court of this state.

(f) In computing the total number of points, when the licensee reaches the danger zone, the department is authorized to send the licensee a warning letter advising that any further convictions may result in suspension of his or her driving privilege.

(g) The department shall administer and enforce the provisions of this law and may make rules and regulations necessary for its administration.

(h) Three points shall be deducted from the driver history record of any person whose driving privilege has been suspended only once pursuant to this subsection and has been reinstated, if such person has complied with all other requirements of this chapter.

(i) This subsection does not apply to persons operating a nonmotorized vehicle for which a driver’s license is not required.

(4) The department, in computing the points and period of time for suspensions under this section, shall use the offense
date of all convictions.

(5) The department shall revoke the license of any person designated a habitual offender, as set forth in s. 322.264, and such person is not eligible to be relicensed for a minimum of 5 years from the date of revocation, except as provided for in s. 322.271. Any person whose license is revoked may, by petition to the department, show cause why his or her license should not be revoked.

(6) The department shall revoke the driving privilege of any person who is convicted of a felony for the possession of a controlled substance if, at the time of such possession, the person was driving or in actual physical control of a motor vehicle. A person whose driving privilege has been revoked pursuant to this subsection is not eligible to receive a limited business or employment purpose license during the term of such revocation.

(7) Review of an order of suspension or revocation shall be by writ of certiorari as provided in s. 322.31.

Section 52. Subsection (2) of section 322.53, Florida Statutes, is amended to read:

322.53 License required; exemptions.—

(2) The following persons are exempt from the requirement to obtain a commercial driver's license:

(a) Drivers of authorized emergency vehicles.

(b) Military personnel driving vehicles operated for military purposes.

(c) Farmers transporting agricultural products, farm supplies, or farm machinery to or from their farms and within 150 miles of their farm, if the vehicle operated under
this exemption is not used in the operations of a common or contract motor carrier or transporting agricultural products to or from the first place of storage or processing or directly to or from market, within 150 miles of their farm.

(d) Drivers of recreational vehicles, as defined in s. 320.01.

(e) Drivers who operate straight trucks, as defined in s. 316.003, and who are exclusively transporting exclusively their own tangible personal property, which is not for sale.

(f) Employees of a publicly owned transit system who are limited to moving vehicles for maintenance or parking purposes exclusively within the restricted-access confines of a transit system’s property.

Section 53. Subsection (5) is added to section 322.54, Florida Statutes, to read:

322.54 Classification.—

(5) The required driver license classification of any person operating a commercial motor vehicle that does not have a gross vehicle weight rating plate or a vehicle identification number shall be determined by the actual weight of the vehicle.

Section 54. Section 322.58, Florida Statutes, is repealed.

Section 55. Section 322.59, Florida Statutes, is amended to read:

322.59 Possession of medical examiner’s certificate.—

(1) The department may shall not issue a commercial driver’s license to any person who is required by the laws of this state or by federal law to possess a medical examiner’s certificate, unless the person presents a valid certificate, as described in 49 C.F.R. s. 383.71, before prior...
(2) The department shall disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license and fails to comply with the medical certification requirements in 49 C.F.R. s. 383.71. This section does not expand the requirements as to who must possess a medical examiner’s certificate.

(3) A person who is disqualified from operating a commercial motor vehicle under this section may, if otherwise qualified, be issued a Class E driver license pursuant to s. 322.251.

Section 56. Subsection (5) of section 322.61, Florida Statutes, is amended to read:

322.61 Disqualification from operating a commercial motor vehicle.—

(5) A person who is convicted of two violations specified in subsection (3) which were committed while operating a commercial motor vehicle, or any combination thereof, arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle. A holder of a commercial driver’s license who is convicted of two violations specified in subsection (3) which were committed while operating a noncommercial motor vehicle, or any combination thereof, arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle. The penalty provided in this subsection is in addition to any other applicable penalty.

Section 57. Subsection (1) of section 324.072, Florida Statutes, is amended to read:
324.072 Proof required upon certain convictions.—

(1) Upon the suspension or revocation of a license pursuant to the provisions of s. 322.26 or s. 322.27, the department shall suspend the registration for all motor vehicles registered in the name of the licensee such person, either individually or jointly with another. However, the department may, except that it shall not suspend the such registration, unless otherwise required by law, if the such person had insurance coverage limits required under s. 324.031 on the date of the latest offense that caused the suspension or revocation, or has previously given or shall immediately give, and thereafter maintain, proof of financial responsibility with respect to all motor vehicles registered by the such person, in accordance with this chapter.

Section 58. Subsection (1) of section 324.091, Florida Statutes, is amended to read:

324.091 Notice to department; notice to insurer.—

(1) Each owner and operator involved in a crash or conviction case within the purview of this chapter shall furnish evidence of automobile liability insurance, motor vehicle liability insurance, or surety bond within 14 or 30 days after from the date of the mailing of notice of crash by the department in the such form and manner as it may designate. Upon receipt of evidence that an automobile liability policy, motor vehicle liability policy, or surety bond was in effect at the time of the crash or conviction case, the department shall forward by United States mail, postage prepaid, to the insurer or surety insurer a copy of such information and shall assume that the such policy or bond was in effect, unless the insurer or surety
insurer notifies shall notify the department otherwise within 20 days after from the mailing of the notice to the insurer or surety insurer. However, provided that if the department shall later determines ascertain that an automobile liability policy, motor vehicle liability policy, or surety bond was not in effect and did not provide coverage for both the owner and the operator, it shall at such time take such action as it is otherwise authorized to do under this chapter. Proof of mailing to the insurer or surety insurer may be made by the department by naming the insurer or surety insurer to whom the such mailing was made and by specifying the time, place, and manner of mailing.

Section 59. Subsection (5) of section 328.15, Florida Statutes, is amended to read:

328.15 Notice of lien on vessel; recording.—

(5) (a) The Department of Highway Safety and Motor Vehicles shall make such rules to administer and regulations as it deems necessary or proper for the effective administration of this section law. The department may by rule require that a notice of satisfaction of a lien be notarized. The department shall prepare the forms of the notice of lien and the satisfaction of lien to be supplied, at a charge not to exceed 50 percent more than cost, to applicants for recording the liens or satisfactions and shall keep a record of such notices of lien and satisfactions available for inspection by the public at all reasonable times. The division may is authorized to furnish certified copies of such satisfactions for a fee of $1, which are certified copies shall be admissible in evidence in all courts of this state under the same conditions and to the same
effect as certified copies of other public records.

(b) The department shall establish and administer an
electronic titling program that requires the recording of
vehicle title information for new, transferred, and corrected
certificates of title. Lienholders shall electronically transmit
liens and lien satisfactions to the department in a format
determined by the department. Individuals and lienholders who
the department determines are not normally engaged in the
business or practice of financing vehicles are not required to
participate in the electronic titling program.

Section 60. Subsection (4) of section 328.16, Florida
Statutes, is amended to read:

328.16 Issuance in duplicate; delivery; liens and
encumbrances.—

(4) Notwithstanding any requirements in this section or in
s. 328.15 indicating that a lien on a vessel shall be noted on
the face of the Florida certificate of title, if there are one
or more liens or encumbrances on a vessel, the department shall may
electronically transmit the lien to the first lienholder and
notify the first lienholder of any additional liens. Subsequent
lien satisfactions shall may be electronically transmitted to
the department and must shall include the name and address of
the person or entity satisfying the lien. When electronic
transmission of liens and lien satisfactions are used, the
issuance of a certificate of title may be waived until the last
lien is satisfied and a clear certificate of title is issued to
the owner of the vessel.

Section 61. Section 328.30, Florida Statutes, is amended to
read:
328.30 Transactions by electronic or telephonic means.—
(1) The department may be authorized to accept an application provided for under this chapter by electronic or telephonic means.
(2) The department may issue an electronic certificate of title in lieu of printing a paper title.
(3) The department may collect electronic mail addresses and use electronic mail in lieu of the United States Postal Service for the purpose of providing renewal notices.

Section 62. Paragraph (f) of subsection (13) of section 713.78, Florida Statutes, is amended to read:
713.78 Liens for recovering, towing, or storing vehicles
(13)
(f) This subsection applies only to the annual renewal in the registered owner’s birth month of a motor vehicle registration and does not apply to the transfer of a registration of a motor vehicle sold by a motor vehicle dealer licensed under chapter 320, except for the transfer of registrations which includes is inclusive of the annual renewals. This subsection does not apply to any vehicle registered in the name of the lessor. This subsection does not affect the issuance of the title to a motor vehicle, notwithstanding s. 319.23(8)(b) s. 319.23(7)(b).

Section 63. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2012.